

**Report Reference Number: E/18/17**

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**To:** Executive  
**Date:** 6<sup>th</sup> September 2018  
**Status:** Non Key Decision  
**Ward(s) Affected:** All wards  
**Author:** Wayne Palmer, Environmental Health Team Leader  
**Lead Executive Member:** Cllr Christopher Pearson, Lead Executive Member for Housing, Health and Culture  
**Lead Officer:** Julie Slatter, Director of Corporate Services and Commissioning

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**Title:** Air Quality Action Plan

**Summary:**

Following consultation with the public and statutory bodies Selby District Council together with its NYCC partners has produced a draft report and Action Plan as required by the Environment Act 1995 and statutory guidance.

**Recommendations:**

That the Executive approves the draft report and Action Plan

**Reasons for recommendation**

Selby District Council made an Air Quality Management Area Order on 29<sup>th</sup> February 2016. The Order places duties on the local authority, in this case Selby District Council, under Section 84 of the Environment Act 1995 to prepare a report on the air quality in the area and a written Air Quality Action Plan (AQAP).

**1. Introduction and background**

**1.1** Local authorities have a duty, under Part IV of the Environment Act 1995 to manage local air quality. The Government produced a National Air Quality Strategy as a result of the Environment Act 1995. This mapped out the way air quality would be managed in the UK and the Regulations introduced set Air Quality Objectives for seven key pollutants. Where levels of pollutants are unlikely to meet Government Air Quality Objectives then Local authorities are required to designate an Air Quality Management Area (AQMA).

The Council submitted a Detailed Assessment to Defra on the 10 March 2015 indicating that the monitoring results for nitrogen dioxide levels in the vicinity of New Street, Selby had breached the Air Quality Objectives.

On the 4 February 2016 Executive resolved to delegate the making of an Air Quality Management Area Order to the Chief Executive. The order was made on 29<sup>th</sup> February 2016.

## **2. The Report**

**2.1** The Order places duties on the local authority, in this case Selby District Council, under Section 84 of the Environment Act 1995 to prepare a report on the air quality in the area and a written Air Quality Action Plan (AQAP). This is to be exercised by the authority in pursuit of the achievement of air quality standards and objectives in the designated area. During the past year officers of Selby District Council have been working with NYCC officers to develop this report and Action Plan. The Air Quality Action Plan containing the Action Plan Measures (Table 11) is attached for your information.

**2.2** The plan must set out what measures the authority intends to introduce in pursuit of the Air Quality Objectives. Local authorities are not obliged to meet the objectives, but they must show that they are working towards them.

**2.3** Consultation has been carried out with interested local organisations and bodies including residents and local businesses, and statutory consultees.

## **3. Alternative Options Considered**

No alternative options to an Air Quality Action Plan available to consider.

## **4. Implications**

### **4.1 Legal Implications**

Section 84 of the Environment Act 1995 places a duty on local authorities, in this case Selby District Council, to prepare a report on the air quality in the area and a written plan to be exercised by the authority in pursuit of the achievement of air quality standards and objectives in the designated area.

Section 86(3) of the Environment Act places a duty on county councils to submit proposals for exercise by the county council in pursuit of the achievement of air quality standard objectives in relation to powers exercisable by the county council.

### **4.2 Financial Implications**

Selby District Council's obligations in relation to the existing monitoring and assessment work proposals will be met within budgets allocated for this work.

Additional funding will also be necessary from partners to implement some of the measures identified in the Plan.

NYCC has been engaged in the development of the plan and is considering the necessary arrangements to meet its own obligations. At present NYCC has no specific budget for delivery of air quality remedial measures in Selby DC. The remedial measures which are likely to require County Council funding are both revenue and capital funded activities therefore to fund air quality improvement measures in Selby, NYCC will:

- Identify any potential measures (revenue and capital) that could be funded from S106 / CIL contributions from developments that have a direct impact on the AQMA.
- Where possible re-prioritise relevant Road Safety and Travel Awareness staff workloads to fund travel awareness type measures.
- Investigate further capital and revenue funding opportunities as they become available.

#### **4.3 Policy and Risk Implications**

The Planning Policy Team at Selby is aware of the AQMA and has contributed to the report and Action Plan. Due to the location of the AQMA to one of the bridges over the river Ouse being a main exit/entry for traffic this may impact on development in and around the town centre in terms of residential, commercial or industrial applications. Allocation of land for development will be considered in terms of a range of considerations including the impact on traffic flow in the AQMA.

#### **4.4 Corporate Plan Implications**

Implementing the measures in the AQAP will help to contribute to giving everyone the opportunity to live a healthy and happy life and enhance people's ability to enjoy life.

#### **4.5 Resource Implications**

The implementation of the plan will require continued input and agreement of the officers and departments involved with the Steering Group

#### **4.6 Other Implications**

#### **4.7 Equalities Impact Assessment**

Each measure suggested for inclusion in the AQAP was broadly assessed against Equality Impacts

#### **5. Conclusion**

Selby District Council together with its NYCC partners has produced a draft report and Action Plan as required by the Environment Act 1995 and statutory guidance.

**6. Background Documents**

**7. Appendices**

Air Quality Action Plan – Appendix A

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